

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Aiyanna Milligan	Team: Squad #5	CCRB Case #: 201700869	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 01/28/2017 1:37 PM	Location of Incident: Midtown South Precinct stationhouse	Precinct: 14	18 Mo. SOL 7/28/2018	EO SOL 7/28/2018	
Date/Time CV Reported Sat, 01/28/2017 1:37 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 02/02/2017 10:58 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. An officer			
2. POF Donna Ellison	28680	950374	MTS PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Tristan Parker	02803	949543	MTS PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Donna Ellison	Abuse: Police Officer Donna Ellison refused to provide her name and shield number to § 87(2)(b)	
B. An officer	Abuse: An officer refused to provide his shield number to § 87(2)(b)	

Case Summary

On January 28, 2017, § 87(2)(b) filed this complaint with IAB via telephone, generating log number 17-3462. The complaint was received at the CCRB on February 2, 2017, via log number 2017-3844.

On January 28, 2017, at approximately 1:37 PM, § 87(2)(b) approached the Midtown South [14th] Precinct Stationhouse with the intent to file a police report. § 87(2)(b) approached PO Donna Ellison, of the 14th Precinct, who was initially assigned to NYC Health + Bellevue Hospital during the Second Platoon, on the steps in front of the stationhouse's entrance. PO Ellison worked alone; she had her post changed to cover PO Christopher Stack, who was assigned to Stationhouse Security at the 14th Precinct, while he was on meal. § 87(2)(b) informed PO Ellison that he wanted to file a report, and they went on to have a discussion about whether § 87(2)(b) needed to enter the stationhouse to address his issue. During this time, § 87(2)(b) alleged he asked PO Ellison for her shield number, and she covered her shield by bringing her arms up to her chest and did not verbally provide it (**Allegation A**). § 87(2)(b) also alleged an unidentified male individual in plainclothes, PO2, then approached § 87(2)(b) and PO Ellison from the sidewalk. § 87(2)(b) informed PO2 about a program called "Scissors," of the New York State Department of Corrections, and PO2 told § 87(2)(b) that he could not help him, as they do not deal with that program. § 87(2)(b) asked PO2 for his shield number, and PO2 replied, "1-2-3-4" (**Allegation B**). § 87(2)(b) stopped PO Tristan Parker, who was assigned to a foot post in the 14th Precinct during the Second Platoon, as he was entering the stationhouse and asked for assistance. However, PO Ellison and PO2 informed PO Parker that they already assisted § 87(2)(b) and PO Parker proceeded into the stationhouse. PO Ellison entered the stationhouse and PO2 returned to the sidewalk and left.

§ 87(2)(b) remained in front of the precinct stationhouse as he called 911 and filed his complaint with IAB. § 87(2)(b) was neither summonsed nor arrested as a result of this incident. There is no video footage of the incident.

Mediation, Civil and Criminal Histories

- This case was deemed unsuitable for mediation § 87(2)(b)
- § 87(2)(b) § 87(2)(c)
- A Notice of Claim request was submitted on March 27, 2017, in regards to the incident. As of that same day, there were negative results for any notice of claim filed by § 87(2)(b) (Board Review 02).

Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b)
- PO Donna Ellison has been a member of the NYPD for five years and has had one other allegation pleaded against her in one case, which has an outcome that is still pending.

Potential Issues

- § 87(2)(g) Throughout his phone statement, § 87(2)(b) referenced United States Code, 5, Statute 552 (a), (b) (7), and (c).

§ 87(2)(b) also noted that he had cameras implanted in his eyes [placed there by a company; IEEE] for surveillance that could be warranted under the Fourth Amendment. § 87(2)(b) also referenced a covert program, "Scissors", under the NYS Department of Corrections, and stated he was in trouble with Kansas' Department of Mental Health [which placed a program called MRSA in him] as well as Pennsylvania's Department of Corrections, the CIA, and NSA. Comments of this nature were also made during § 87(2)(b) in-person statement, and during a phone call to review the investigative process, § 87(2)(b) mentioned a program in him called "Truth Serum," which involves a rod in his hippocampus that can erase his thoughts and put him to sleep even if he was on methamphetamines (Board Review 03 and Board Review 04).

Findings and Recommendations

Explanation of Subject Officer Identification

- § 87(2)(b) described the witness officer as a black male, approximately thirty-five to forty years old, with a muscular build, a short, "military" haircut, and a medium brown complexion, standing approximately 6'6" tall, who wore a uniform the shield number "2-8-0-3." The shield number § 87(2)(b) provided was associated with PO Tristan Parker, a black male, who was thirty-two years old at the time of the incident, with an average build, short, black hair, brown eyes, and a dark brown complexion, standing 5'8" tall and weighing 210 pounds.
 - PO Parker testified that he had no recollection of the incident; no recollection of interacting with any civilians, or being involved in assisting PO Donna Ellison on the stationhouse steps (Board Review 05).
 - There are significant differences between § 87(2)(b) description, and the pedigree information for PO Parker.
- § 87(2)(b) described PO1 as a black female with pulled back, black hair, a dark-medium brown complexion, and a heavy build, standing approximately 5'0" to 5'1" tall in a blue uniform with one, blue, angled, "decal" on the lower left portion of the uniform's sleeve.
 - The undersigned cross-referenced the Second Platoon ARCS with a list of black/Hispanic females assigned to the MTS Precinct. There were five possible results, for women who worked on the date of the incident: PO Debra Davis (a § 87(2)(b) years old with a tenure of 27 years), PO Donna Ellison (§ 87(2)(b) years old with a tenure of 5 years), PO Sara Paulino (§ 87(2)(b) years old with a tenure of 6 years), PO Tyishah Williams (§ 87(2)(b) years old with a tenure of 11 years), and PO Calena Quinones (§ 87(2)(b) years old with a tenure of 4 years). This was confirmed upon receipt of the Second Platoon Roll Call.
 - As each blue, angled decal is representative of five years on the force, and § 87(2)(b) only observed one, § 87(2)(g) In addition, of the five MOS, PO Ellison most closely fit § 87(2)(b) description; she is a black female with a dark brown complexion, black hair, brown eyes, and an average build, standing 5'7" tall and weighing 170 pounds. § 87(2)(b) described her as standing 5'0" to 5'6" tall in his phone statement and 5'4" or 5'5" in the initial narrative given to IAB.]
- § 87(2)(b) described the unidentified subject officer as a white male, approximately forty years old, with a shaved head, salt and pepper hair, standing approximately 5'10" tall, who wore plainclothes.

- PO Christopher Stack, who was on meal at the time of the incident, is a white male, who was § 87(2)(b) years old at the time of the incident, with a heavy build, short, brown hair, and blue eyes, standing 5'9" tall and weighing 255 pounds. PO Stack was present in uniform, worked alone, and testified that he had no knowledge of the incident (Board Review 06).
- PO Thomas Sykes, of the 14th Precinct, was noted in the Second Platoon Roll Call as having been assigned to Stationhouse Security, however on the date of the incident he worked inside of the stationhouse as the Assistant Desk Officer, and was present in uniform (Board Review 07). PO Sykes is a white male, who was § 87(2)(b) years old at the time of the incident, with an average build, shoulder-length, brown hair, and hazel eyes, standing 6'2" tall and weighing 240 pounds. PO Sykes testified that he had no knowledge of the incident (Board Review 08).
- PO Parker stated he had no recollection of a civilian interacting with two officers in front of the stationhouse.
- PO Ellison testified that no officers joined her conversation with § 87(2)(b) or interacted with § 87(2)(b) while standing in front of the stationhouse entrance, even after she entered the stationhouse as § 87(2)(b) remained outside on the phone. PO Ellison also did not observe § 87(2)(b) request the name or shield number of any officer (Board Review 09).
- There was no relevant entry in the Command Log documenting any officers' interaction with § 87(2)(b) (Board Review 10).
- According to the Interrupted Patrol Log from the incident date, the following officers returned to the stationhouse amid their tours for non-law enforcement functions: PO Brian Wilkens and PO Michael Ryan (assigned to Sector F; on meal from 12:03 PM to 1:03 PM). PO Ryan Maloney and PO Jeffrey Canfora (assigned to Sector H; on meal from 1:03 PM to 2:03 PM). PO Nicholas Zotto, PO Brendan Griebel, and PO Brian Boisseau (assigned to Sector E, on meal from 12:56 PM to 1:56 PM). § 87(2)(g)

Allegation A - Abuse of Authority: Police Officer Donna Ellison refused to provide her name and shield number to § 87(2)(b)

§ 87(2)(b) testified that he approached the 14th Precinct Stationhouse with the intent to file a police report about United States Code 5 § 552 (b) (7). § 87(2)(b) approached an officer, later identified by the investigation as PO Donna Ellison of the 14th Precinct. § 87(2)(b) approached PO Ellison, handed her a print out of Title 5 of the United States Code, and said he needed a police report. § 87(2)(b) did not remember how PO Ellison reacted after he handed her the printed laws; he could only say he just knew that PO Ellison did not want him to enter the stationhouse. § 87(2)(b) could not remember specifically what he asked PO Ellison, but stated he did ask her for her shield number once or twice, and PO Ellison covered her shield number bringing her arms up to her chest and leaving them crossed throughout the entirety of the incident. However, § 87(2)(b) was not sure whether PO Ellison crossed her arms in response to him asking for her shield number. § 87(2)(b) had been speaking to PO Ellison for one to two minutes when a male individual, PO2, approached PO Ellison and § 87(2)(b) from the sidewalk. § 87(2)(b) told PO2 about a program called

“Scissors,” of the New York State Department of Corrections which entailed putting scissors in people. PO2 told § 87(2)(b) that he could not help him and, “Call the Department of Corrections. We don’t deal with program Scissors.” § 87(2)(b) asked PO2 for his shield number [once], and PO2 replied, “1-2-3-4.” PO2 reiterated that § 87(2)(b) was not allowed to enter the stationhouse. According to § 87(2)(b) PO Ellison appeared to recognize PO2 and “accept him as an authority figure.” § 87(2)(b) stopped another officer, later identified by the investigation as PO Tristan Parker of the 14th Precinct, and asked him for assistance. Initially, § 87(2)(b) stated that PO Ellison informed PO Parker that they already assisted § 87(2)(b) and to disregard him, however he later amended his statement and said both PO Ellison and PO2 informed PO Parker of that. PO Parker proceeded into the stationhouse. PO2 spoke for one to two minutes before he walked back to the sidewalk and left. PO Ellison did not have any further conversation with PO2. § 87(2)(b) approximated the incident lasted five to eight minutes. § 87(2)(b) did not attempt to enter the stationhouse without permission; he remained in front of the stationhouse and called 911 to request IAB. § 87(2)(b) approximated this phone call lasted approximately ten minutes. After the phone call ended, § 87(2)(b) left the area.

PO Ellison testified that she was standing in front of the stationhouse entrance when a male individual with papers in his hand, identified by the investigation as § 87(2)(b) climbed the stairs and informed her that he wanted to go inside to file a police report. During her interview, PO Ellison was shown a photograph of § 87(2)(b) and she confirmed that this was the civilian she interacted with. PO Ellison asked § 87(2)(b) why he wanted to file a report as part of her assignment; to inquire about the needs of the civilians entering the stationhouse. § 87(2)(b) informed PO Ellison that he wanted to file a report regarding his property and Corrections. PO Ellison explained to § 87(2)(b) that there would be no report for that to be taken at the stationhouse, as it was a different agency, and did not have anything to do with the NYPD; it would have to be taken up with Corrections. § 87(2)(b) insisted on entering the stationhouse to make the report, and PO Ellison reiterated to § 87(2)(b) that there would be no report to be taken there. PO Ellison estimated this continued for six to seven minutes before their interaction ended. During this time, § 87(2)(b) did not ask for PO Ellison’s name or shield, and no other officers joined PO Ellison’s conversation with § 87(2)(b). PO Ellison did not stand in any way that would prevent or shield her shield from § 87(2)(b) or cross her arms over her chest; due to the weather, PO Ellison demonstrated she either stood with both of her hands in the pockets of her uniform’s jacket, or with her arms hugged against her abdomen. As PO Ellison stood on the steps outside, PO Tristan Parker and his partner, PO Lerone Davis of the 14th Precinct, passed her and § 87(2)(b) to enter the stationhouse, but no one interjected in their conversation or interacted with § 87(2)(b) and PO Ellison did not observe a white male dressed in plainclothes. PO Ellison did not observe § 87(2)(b) ask PO Parker for his name, shield number, or anything else. PO Ellison did not hear § 87(2)(b) request the identifying details of any officer or witness any officer refuse to provide § 87(2)(b) with them. PO Ellison entered the stationhouse, because it was cold, and § 87(2)(b) remained outside, on the phone, for approximately ten minutes. During this time, PO Ellison did not observe any other officers interact with § 87(2)(b).

§ 87(2)(g)

§ 87(2)(g) [Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Allegation B - Abuse of Authority: An officer refused to provide his shield number to

§ 87(2)(b) [Redacted]

The investigation was unable to identify the subject officer in this case, § 87(2)(b) [Redacted]
[Redacted] (g)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Squad: 5

Investigator:	_____	_____	_____
	Signature	Print	Date
Squad Leader:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date